United States Department of the Interior

FISH AND WILDLIFE SERVICE
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CALIFORNIA CONDOR RECOVERY PROGRAM
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Memorandum:

To: Project Leader, Ventura Fish and Wildlife Office

From: California Condor Field Coordinator, Hopper Mountain NWRC

Subject: Recovery Program Guidance on Hazing California Condors

Hazing is a method to discourage an undesirable behavior in wildlife that employs the immediate use of deterrents to provide negative conditioning to the animal. The practice of hazing has been a longstanding method implemented by the California Condor Recovery Program to deter condors from contact with humans and human structures, since the captive-bred juveniles were first released into the wild.

Condors that land on or near buildings, oil rigs, communication towers and other human structures are at risk of injury or mortality. In these situations, condors may become entangled in, or ingest materials including but not limited to wire, ropes, tarps, small bits of trash (micro-trash), industrial and household chemicals. Condors may also associate humans and human structures with food if they find discarded food trash or are given food directly.

To discourage such interactions between condors and humans and/or human structures, condors must experience immediate and direct negative reinforcement in the form of hazing. The hazing of California condors typically involves such actions as hand clapping, yelling, the use of leashed barking dogs, the use of water (e.g., low pressure hoses or sprinklers), and/or soft projectiles to startle the birds and get them to move away from potentially harmful situations. Properly conducted, hazing does not create a likelihood of injury or death to condors. Thus, the Service considers hazing to be a take avoidance measure rather than as harassment or harm to condors under the Federal Endangered Species Act of 1973, as amended (ESA) and 50 C.F.R. 17.3.

Traditionally hazing has been conducted by the Service field biologists or our recovery program partners directly involved in condor recovery efforts, and in possession of valid ESA Section 10(a)(1)(A) recovery permits. However, as the range of the Southern California condor flock have continued to expand, it has become increasingly difficult for condor recovery permit holders to respond to every situation that requires hazing. The 2013 home range for the Southern California condor flock was nearly 9.6 million acres and we only expect it to increase. As more condors continue to re-colonize more and more of their historical range, the growing condor population will have more opportunities to come into contact with humans, and human structures, distributed across an increasingly larger geographic area.

The most effective hazing occurs immediately (or as soon as possible) following the undesirable behavior. This will be most effectively achieved by the individual(s) who witness the condor engaged in an undesirable behavior, rather than first contacting the Service and then waiting for a biologist to arrive. Groups of condors are now regularly using multiple areas across their range simultaneously, and groups of birds can be spread across hundreds and sometimes thousands of square miles, making it impractical for the Service to respond to every incidence that requires hazing. Waiting hours or days for the Service or permitted recovery program partners to arrive to perform the hazing allows the condor(s) to remain engaged in their undesirable behavior, and provides positive reinforcement back to the birds. Condors that are not hazed from these situations are likely to repeat the behavior and teach it to other condors, perpetuating a cycle of dangerous behavior in the wild condor population. Condors that do not respond effectively to hazing are considered by the Service to be habituated and will be removed from the wild population temporarily or permanently for their own safety and the welfare of the rest of the wild population.

The steady expansion of condors across their historical range and years of experience in implementing hazing actions without injury has prompted the Service to develop a new strategy toward hazing to ensure that condors are provided with the most immediate and effective negative feedback possible when they come into contact with humans and human structures. Following a minimal amount of recovery program instruction, the Service concludes that individuals may safely haze condors using a variety of simple hazing actions without causing injury to the birds.

As indicated above, hazing actions are employed when necessary to startle condors so they leave areas that pose a danger to the birds, such as oil pads, buildings, roads and communication and other types of towers. Hazing actions that the Service concludes may safely be used by individuals, following instruction by the Service or our permitted recovery program partners, without a risk of injury to condors include, but are not limited to: **yelling, clapping, stomping, the use of leashed barking dogs, and the use of low pressure water hoses.** Commercially available remote controlled sprinkler systems and bird aversion products that do not involve direct human interaction with condors are also safe and effective deterrents used to protect condors from interactions with dangerous human structures.

Because the recovery program provides direction on how to safely employ these actions, they are not likely to result in injury or mortality. We specifically instruct those who will conduct the hazing to be aware of the potential for any collision hazard (e.g., fences, power lines, guy-wires, towers) in the direction of the bird's escape route, prior to the birds being hazed. If the bird cannot be hazed without risk of injury, individuals are instructed not to conduct the hazing until it is safe for the bird. Based our knowledge of and experience with condor behavior collectively gained over the course of the condor recovery program, these simple forms of hazing are benign and will contribute toward a safer environment for condors by minimizing the potential for undesirable behavior to be repeated and exacerbated in the condor population.

Because these simple and safe hazing methods are not likely to result in injury or mortality, a Section 10(a)(1)(A) recovery permit should not be necessary or required for their implementation. Requiring all individuals to go through the process of obtaining ESA Section 10(a)(1)(A) permits before hazing condors using these methods is also highly impractical given the expanding range of the condors, the increasing likelihood of human condor interactions, and the need for immediate hazing to deter condors from undesirable behaviors before they result in habituation. The regulatory challenges involved in obtaining ESA Section 10(a)(1)(A) permit would likely dissuade the average homeowner or worker from applying for such a permit. More aggressive methods of hazing such as the use of soft projectiles could result in injury to a condor if not carefully implemented by appropriately trained individuals. Therefore, the Service should continue to require individuals to obtain ESA Section 10(a)(1)(A) recovery permits before engaging in such activities.